

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- October 18, 1972

Application No. 11192 Marjorie Webster Junior College, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried by a vote of 4-0 the following Order of the Board was entered at the meeting of January 23, 1973.

ORDERED:

That the application for permission to amend campus plan at 17th and Kalmia Road, N. W., lots 80, 815, 507, 6, and 8 in Square 2745-F be DENIED.

FINDINGS OF FACT:

1. The subject property is located in an R-1-A District.
2. The college campus consists of 9.5 acre tract, generally bounded by Kalmia Road, 17th Street and Jonquil Street, N. W.
3. The subject property is the largest single property in that zone and the nature of its use has a substantial impact on the neighborhood surrounding the college.
4. The neighborhood is unique in that it is one of two low density residential areas in the District of Columbia which has been successfully integrated and remained stable for a number of years. The tranquility of such a neighborhood is particularly subject to disruption unless the Zoning Regulations are strictly observed and enforced.
5. The college was first accredited in 1946 by the Board of Education of the District of Columbia and has been so accredited and has conferred the Associate of Arts Degree.
6. Marjorie Webster Junior College has been before this Board many times over the years and the Board has approved various applications as well as disapproved various application concerning the college.

7. In or about August 1971, the Webster family sold control of the college to a subsidiary of University Research Corporation.

8. During the summer of 1971, the college applied to this Board for permission to expand its operation to include a private laboratory full service school, including remedial and special education services for 150 students ages 6 - 17 (Application No. 10848). We denied this application, noting in our opinion that:

The type of neighborhood opposition convinced the Board that the change of Marjorie Webster College from young adults as students to children will have an adverse effect on the neighborhood because of noise and traffic.

We are of the opinion that this use will have an adverse effect upon the present character and future development of the neighborhood . . .

9. At the public hearing on Application No. 10848, held on October 13, 1971, we inquired of the College as to its intentions for the future. The President of URC represented to us:

We have no intention whatsoever, and assume that we would be bound by that, from doing anything else at Webster but continue to operate that college and develop the special education laboratory school, period.  
(Tr. p. 27)

Shortly after this testimony was given, the following colloquy ensued:

CHAIRMAN SCRIVENER: What are you going to do with this property if the appeal is denied?

MR. FISHMAN: Try to continue it as a junior college.  
(Tr. p. 30)

On the strength of these representations, we included in our Order in No. 10848, dated November 16, 1971, Finding No. 13 indicating that the "Buyer (URC) states that if the appeal is denied the owners will continue to operate as before." (Emphasis added).

10. These representations by URC have not been observed.

11. On the contrary, starting in about October 1971, the College proceeded, without further application to this Board, to substantially alter the nature of the college operation conducted on its property by introduction of a series of new programs which, in our view, constitute a radical departure from the premises on which we have heard previous appeals and on which we previously approved a campus plan.

12. According to the evidence of record in this application, many of these programs are essentially governmental training programs which are designed, funded and directed by various agencies of the federal government. In some cases, these programs are conducted on the College's property pursuant to contracts or agreement between a government agency and some entity other than Marjorie Webster Junior College, Inc., which entity then enters into a separate agreement with Marjorie Webster purportedly making that program a part of the College's own curriculum.

13. One such program is the National Training Center for Drug Abuse Prevention, which is financed by the United States government and operated by the government's prime contractor, Abt Associates, Inc. of Cambridge, Massachusetts, an entity not affiliated with or owned by the College. Under this program Abt would train on the College's property up to 2400 men and women a year from all over the country in courses or "tracks" of various durations. Some trainees would participate in the training for only a few days, some for a few weeks, and some for several months. There would be a constant turnover of the trainee population throughout the year.

14. Another program having a similar contractual structure is the National Institute for Drug Programs, which affords training by an entity other than the College (namely, the Center for Human Services, Inc.) to adult persons who work in the drug abuse field. While there is no treatment of drug addicts conducted at the College, this program has introduced onto the College's property several "addicts under treatment" who must be daily transported to the District's methadone center for methadone maintenance treatment. (Transcript of October 2, 1972 hearing, pp. 169 and 181).

15. The College has also provided space for the operation by others of additional short-term training programs financed and operated in whole or in part by outside interests, including the Department of Housing and Urban Development, the Department of Health, Education and Welfare, and their respective contractors.

16. These programs, have, without our approval, introduced a large number of transient men and women onto the College property in place of the essentially residential population of young women which had previously constituted the student body of the College.

17. Because of short courses of instruction, night and weekend instruction, and so-called "continuing education" offerings, these new programs have resulted in a substantial increase in the total number of people entering and leaving the neighborhood, usually in automobiles.

18. There was considerable conflict in the witness testimony and other evidence before the Board requiring the Board to weigh evidence in light of the credibility of the witnesses, the reasonableness of inferences sought to be drawn from documents, and the like.

19. After nearly thirteen hours of public hearings, and after reviewing the documentary evidence submitted in his application, we find that approval of this application would adversely affect the use of neighboring property in that it would substantially increase traffic levels and congestion in and around the College, would increase the number of cars parked on streets adjacent to the College, would increase the noise and level of activity generated on the College property, would introduce into the neighborhood a constant flow of new students unacquainted with the College's disciplinary rules and unfamiliar to College officials and would cause continuing instability and alarm in the community because of uncertainty about the nature of the uses which could be anticipated on the largest single piece of property in the neighborhood.

20. The College's application for an amendment to its campus plan is defective because it does not comply with the requirement of Section 3101.46(c) that there be set forth a "description of all activities conducted or to be conducted" on the property. The application which was before this Board, the National Capital Planning Commission and the Department of Highways and Traffic states simply, and conclusorily, that the "educational programs, courses and activities are those of a college and institutional of higher learning" without specifying what such programs, courses, and activities consist of. Clearly the Zoning Regulations contemplate more detail in the applications required description of activities so that the Board can make an informed judgment about the effect of the proposed use on neighboring property before granting approval of the application."

21. The National Capital Planning Commission has recommended to us that the essentially residential character of the College should not be changed.

22. Substantial, responsible and well-informed neighborhood opposition was presented at the hearing, including the production of petitions in opposition signed by approximately 650 residents of the area most immediately affected.

OPINION:

In our opinion the present application should be denied for failure of the applicant to discharge its burden of proof as required by Rule 4.53 of our rules of procedure.

As noted, the college is located in an R-1-A zone. Under Regulation 3101.1, such a zone is "designed to protect quiet residential areas(,) . . . to stabilize such areas and to promote a suitable environment for family life." Under Regulation 8207.2, we are authorized to approve this application only if "in the judgment of the Board (it) will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property . . ."

Based on the record in this case, we cannot make that judgement in favor of the application. Indeed, we conclude, to the contrary, that the proposed use of the College's property would not be in harmony with the general purpose and intent of the R-1-A zone and that it would adversely affect neighboring property. Among the factors which have led us to this conclusion are those specific findings set out in Finding of Fact No. 17 above. In the exercise of our discretion under Section 8207.2, we conclude that this application should be denied.

We note in passing that we have some doubt as to whether the college's proposed new operation would truly be that of "an academic institution of higher learning" as required by Section 3101.46. At the hearing on this case, opponents of the application represented to us, without contradiction by the applicant, that the College's present accreditation from the D. C. Board of Higher Education is based on its earlier operation as a girls junior college and that none of the new programs comprehended by this application have been accredited by that Board or any other accrediting agency. Furthermore, the cover page of the grant application for the National Institute for Drug Programs, which was received in evidence, indicates that the function of that program is that of an "employment/manpower agency" and not an "institution of higher education." Most of these programs were apparently instituted before the College's Board of Trustees could pass on them, and many appear to be largely run by outside entities other than the College, about which the Board has no real evidence or knowledge as to competency, integrity and the like.

However, we do not base our decision in this application on these "educational factors" but rather on the zoning considerations outlined above. Even if all of these programs were fully accredited and fully controlled by the College itself, we would feel compelled to deny this application on the present record concerning the effect of these programs on the neighboring R-1-A property.

To remove any uncertainty for the future, we wish to make it clear that the result of this and our prior decisions with respect to the College is that no use of the College property is presently permitted other than the form of operation which existed prior to approximately October of 1971, namely, a primarily residential junior college for not more than 550 students in any one academic year. In the past, as noted above, there have been only about 40 non-residential students at the College per year. We believe that preserving the residential character of the school requires that this limit on the number of non-residents be observed in the future as well.

In addition, while the school has traditionally enrolled only young women of college age, there was only minimal opposition at the hearing to its becoming co-educational institution, and we see no reason why it may not now enroll young men of about the same age in its regular curriculum if it chooses to do so. The College's present application refers to enrolling all qualified students without restriction to sex, age, race or religion. We have not, and do not now, impose any such restrictions as to race or religion, and we have just indicated we see no objection to the College's becoming co-educational.

The age factor is a little harder to deal with. While the College never has an age requirement of which we are aware, it tended to attract a population of "college age" students around 17 to 21 years in age. We would assume that the College should still enroll students who are generally past the high school age. And we assume that the number of students beyond the 17-21 year age ought not to become so large as to produce objectionable changes in the character of the student body, as, for example, much higher numbers of resident students owning cars and driving them in and around the neighborhood.

Based on our several prior cases involving this College, we understand that, before URC took over, virtually all of the College's student body enrolled in September and pursued a full-time course of study at the College until the following June. In the present application, the College seeks permission to conduct a variety of short courses and continuing education programs which would result in a number of students, both resident and non-resident, coming onto the property to enroll in certain instruction for only a portion of the academic year, perhaps a one-time seminar of a few hours, or a short course of a few days or weeks duration. Such an arrangement would cause a significant change in the nature of the student body. Instead of a fixed student population that moves onto the campus at the beginning of an academic year and soon becomes familiar to the College officials and acquainted with the College facilities, physical layout, rules and procedures, the surrounding neighborhood, these new programs would produce a great deal of activities of students moving in and out of dorms as well as a constant supply of new students unfamiliar to the College officials and faculty and unacquainted with the College and its neighborhood. It was undoubtedly for this reason that the National Capital Planning Commission recommended to us that no short courses

or continuing education programs be permitted at the College.

We agree with the National Capital Planning Commission that this College, located in the midst of this particular R-1-A neighborhood, should remain "primarily a residential institution of full-time students enrolled annually." We have indicated above that the College may enroll up to 40 non-resident students per year, and we do not believe it would be objectionable to the College's neighbors if some or all of these non-residents are enrolled in short courses or continuing education programs rather than as full-time students for the entire year. However, the resident student population on the College property should be composed, as in the past, of full-time students who are in residence for the entire year rather than a constantly changing mix of residents enrolled in various short courses or continuing education. Such a requirement of full-time resident students is necessary to protect the stability of the surrounding neighborhood and to avoid the objectionable features of a "revolving" student body outlined above.

We wish to make clear that our decision in this case does not involve any issue of academic freedom or discrimination, nor does it purport to regulate the freedom to teach, study or learn. It does not prohibit the College, for example, from establishing a new department of astronomy for its regular students. However, in our view, Section 3101.46 requires that a basic change in the character of an institution which exists as a matter of grace in an R-1-A neighborhood cannot be affected, as has been attempted here without prior approval of the Board.

The purpose of Section 3101.46 is clear enough -- it is there to insure that institutions of higher learning which are located in the midst of low density residential neighborhoods cannot unilaterally change themselves to such an extent that they will in turn effect the surrounding neighborhood unless the neighborhood has an opportunity to be heard on an application by the institution for the fundamental changes which it may desire to make. Having now heard the neighborhood, as well as the College and the NCPC, we conclude that the requested change would have a material adverse affect upon the present character and future development of the neighborhood and would substantially impair the purpose, intent or integrity of the Zoning Regulations and Map.

In Application 11173, we stayed the effect of our Order pending a hearing on this Appeal so that we could consider at one time all of the issues presently affecting the zoning status of the College. In view of the College's failure to observe its representations to us (see Finding No. 7 above), its clear attempt to change its fundamental character without seeking the required prior approval of this Board, and the fact that the neighborhood involved has endured for more than a year the uncertainty generated by this situation, we are not willing to stay the effect of the present Order pending another litigation, if any.

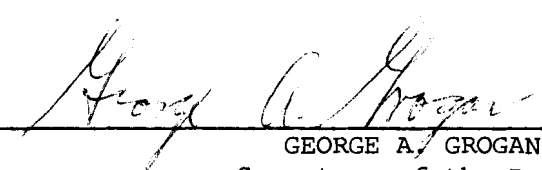
However, the College will obviously require a certain amount of time in which to readjust its present operation and some of the government programs involved may require a reasonable amount of time to relocate. In determining what should constitute a reasonable time for readjustment and relocation, we note that the College and the government agencies involved have had several indications to date of the possibility that these programs would not be permitted to continue on the College's property, namely, the filing of the Neighbors, Inc. suit against the College in early May of 1972, the Order of the United States Court of Appeals for the District of Columbia Circuit on June 23, 1972, and the Order of this Board in No. 11173 entered July 14, 1972. We also note from the College's present catalog that its first semester ends on December 23, 1972, and that its January term begins on January 11, 1973.

The College is directed to cease on or before March 1, 1973 all activities upon its property other than the use described in this and prior Orders, namely, operation of a Junior College for not more than 550 students per year, of which up to 40 may be non-residents and the remainder of which must be full-time students residing on the College property for the full academic year. It is the Board's position that the 550 students as outlined in this Order must be counted as allowable in any one academic year as opposed to any one time. It is further directed that the College furnish the Zoning Administrator with a certified statement once every three months beginning with April 1, 1973, a list of all students attending Marjorie Webster during the preceding three months. This condition must be complied with for the next succeeding two years after which the College is directed to furnish the Zoning Administrator with the same information every April 1 for as long as said college is in operation.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED

By: \_\_\_\_\_

  
GEORGE A. GROGAN  
Secretary of the Board

2-9-73



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FINDINGS OF FACT:

1. The subject property is located in an R-1-A District.
2. The college campus consists of 9.5 acre tract, generally bounded by Kalmia Road, 17th Street and Jonquil Street, N. W.
3. The subject property is the largest single property in that zone and the nature of its use has a substantial impact on the neighborhood surrounding the college.
4. The neighborhood is unique in that it is one of two low density residential areas in the District of Columbia which has been successfully integrated and remained stable for a number of years. The tranquility of such a neighborhood is particularly subject to disruption unless the Zoning Regulations are strictly observed and enforced.
5. The College was first accredited in 1946 by the Board of Education of the District of Columbia and has been so accredited and conferred the Associate of Arts Degree.
6. Marjorie Webster Junior College has been before this Board many times over the years and the Board has approved various applications concerning the College.
7. In or about August 1971, the Webster family sold control of the College to a subsidiary of University Research Corporation.

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We are of the opinion that this use will have an adverse affect upon the present character and future development of the neighborhood . . .

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10. These representations by University Research Corporation have not been observed.

11. On the contrary, starting in about October 1971, the College proceeded, without further application to this Board, to substantially alter the nature of the College operation conducted on its property by introduction of a series of new programs which, in our view, constitute a radical departure from the premises on which we have heard previous appeals and on which we previously approved a campus plan.

12. According to the evidence of record in this application, many of these programs are essentially governmental training programs which are designed, funded and directed by various agencies of the federal government. In some cases, these programs are conducted on the College's property pursuant to contracts or agreement between a government agency and some entity other than Marjorie Webster Junior College, Inc., which entity then enters into a separate agreement with Marjorie Webster purportedly making that program a part of the College's own curriculum.

13. One such program is the National Training Center for Drug Abuse Prevention, which is financed by the United States government and operated by the government's prime contractor, Abt Associates, Inc. of Cambridge, Massachusetts, an entity not affiliated with or owned by the College. Under this program Abt would train on the College's property up to 2400 men and women a year from all over the country in courses or "tracks" of various durations. Some trainees would participate in the training for only a few days, some for a few weeks, and some for several months. There would be a constant turnover of the trainee population throughout the year.

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17. Because of short courses of instruction, night and weekend instruction, and so-called "continuing education" offerings, these new programs have resulted in a substantial increase in the total number of people entering and leaving the neighborhood, usually in automobiles.

18. There was considerable conflict in the witness testimony and other evidence before the Board requiring the Board to weigh evidence in light of the credibility of the witnesses, the reasonableness of inferences sought to be drawn from documents, and the like.

19. After nearly thirteen hours of public hearings, and after reviewing the documentary evidence submitted in this application, the Board finds that approval of this application would adversely affect the use of neighboring property in that it would substantially increase traffic levels and congestion in and around the College, would increase the number of cars parked on streets adjacent to the College, would increase the noise and level of activity generated on the College property, would introduce into the neighborhood a constant flow of new students unacquainted with the College's disciplinary rules and unfamiliar to College Officials and would cause continuing instability and alarm in the community because of uncertainty about the nature of the uses which could be anticipated on the largest single piece of property in the neighborhood.

20. The College's application for an amendment to its campus plan is defective because it does not comply with the requirements of Section 3101.46(c) that there be set forth a "description of all activities conducted or to be conducted" on the property. The application which was before this Board, the National Capital Planning Commission and the Department of Highways and Traffic states simply, and conclusorily, that the "educational programs, courses and activities are those of a college and institution of higher learning" without specifying what such programs, courses and activities consist of. Clearly the Zoning Regulations contemplate more detail in the applications required description of activities so that the Board can make an informed judgment about the effect of the proposed use on neighboring property before granting approval of the application.

21. The National Capital Planning Commission has recommended to us that the essentially residential character of the College should not be changed.

22. Substantial, responsible and well-informed neighborhood opposition was presented at the hearing, including the production of petitions in opposition signed by approximately 650 residents of the area most immediately affected.

OPINION:

In our opinion the present application should be denied for failure of the applicant to discharge its burden of proof as required by Rule 4.53 of our rules of procedure.

As noted, the College is located in an R-1-A zone. Under Regulation 3101.1, such a zone is "designed to protect quiet residential areas(,)... to stabilize such areas and to promote a suitable environment for family life." Under Regulation 8207.2, we are authorized to approve this application only if "in the judgment of the Board (it) will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property . . ."

Based on the record in this case, we cannot make that judgment in favor of the application. Indeed, we conclude, to the contrary, that the proposed use of the College's property would not be in harmony with the general purpose and intent of the R-1-A zone and that it would adversely affect neighboring property. Among the factors which have led us to this conclusion are those specific findings set out in Finding of Fact No. 17 above. In the exercise of our discretion under Section 8207.2, we conclude that this application should be denied.

We note in passing that we have some doubt as to whether the College's proposed new operation would truly be that of "an academic institution of higher learning" as required by Section 3101.46. At the hearing on this case, opponents of the application represented to us, without contradiction by the applicant, that the College's present accreditation from the D.C. Board of Higher Education is based on its earlier operation as a girls' junior college and that none of the new programs comprehended by this application have been accredited by that Board or any other accrediting agency. Furthermore, the cover page of the grant application for the National Institute for Drug Programs, which was received in evidence, indicates that the function of the program is that of an "employment/manpower agency" and not an "institution of higher education." Most of these programs were apparently instituted before the College's Board of Trustees could pass on them, and many appear to be largely run by outside entities other than the College, about which the Board has no real evidence or knowledge as to competency, integrity and the like.

However, we do not base our decision in this application on these "educational factors" but rather on the zoning considerations outlined above. Even if all of these programs were fully accredited and fully controlled by the College itself, we would feel compelled to deny this application on the present record concerning the effect of these programs on the neighboring R-1-A property.

To remove any uncertainty for the future, we wish to make it clear that the result of this and our prior decisions with respect to the College is that no use of the College property is presently permitted other than the form of operation which existed prior to approximately October of 1971, namely, a primarily residential junior college for not more than 550 students in any one academic year. In the past, as noted above, there have been only about 40 non-residential students at the College per year. We believe that preserving the residential character of the school requires that this limit on the number of non-residents be observed in the future as well.

In addition, while the school has traditionally enrolled only young women of college age, there was only minimal opposition at the hearing to its becoming co-educational institution, and we see no reason why it may not now enroll young men of about the same age in its regular curriculum if it chooses to do so. The College's present application refers to enrolling all qualified students without restriction to sex, age, race or religion. We have not, and do not now, impose any such restrictions as to race or religion, and we have just indicated we see no objection to the College's becoming co-educational.

The age factor is a little harder to deal with. While the College never has an age requirement of which we are aware, it tended to attract a population of "college age" students around 17 to 21 years of age. We would assume that the College should still enroll students who are generally past the high school age. And we assume that the number of students beyond the 17 to 21 year age ought not to become so large as to produce objectionable changes in the character of the student body, as, for example, much higher numbers of resident students owning cars and driving them in and around the neighborhood.

Based on our several prior cases involving this College, we understand that, before University Research Corporation took over, virtually all of the College's student body enrolled in September and pursued a full-time course of study at the College until the following June. In the present application, the College seeks permission to conduct a variety of short courses and continuing education programs which would result in a number of students, both resident and non-resident, coming onto the property to enroll in certain instruction for only a portion of the academic year, perhaps a one-time seminar of a few hours, or a short course of a few days or weeks duration. Such an arrangement would cause a significant change in the nature of the student body. Instead of a fixed student population that moves onto the campus at the beginning of an academic year and soon becomes familiar to the College officials and acquainted with the College facilities, physical layout, rules and procedures, the surrounding neighborhood, these new programs would produce a great deal of activities of students moving in and out of dorms as well as a constant supply of new students unfamiliar to the College officials and faculty and unacquainted with the College and its neighborhood. It was undoubtedly for this reason that the National Capital Planning Commission recommended to us that no short courses or continuing education programs be permitted at the College.

We agree with the National Capital Planning Commission that this College, located in the midst of this particular R-1-A neighborhood, should remain "primarily a residential institution of full-time students enrolled annually." We have indicated above that the College may enroll up to 40 non-resident students per year, and we do not believe it would be objectionable to the College's neighbors if some or all of these non-residents are enrolled in short courses or continuing education programs rather than as full-time students for the entire year. However, the resident student population on the College property should be composed, as in the past, of full-time students who are in residence for the entire year rather than a constantly changing mix of residents enrolled in various short courses or continuing education. Such a requirement of full-time resident students is necessary to protect the stability of the surrounding neighborhood and to avoid the objectionable features of a "revolving" student body outlined above.

We wish to make clear that our decision in this case does not involve any issue of academic freedom or discrimination, nor does it purport to regulate the freedom to teach, study or learn. It does not prohibit the College, for example, from establishing a new department of astronomy for its regular students. However, in our view, Section 3101.46 requires that a basic change in the character of an institution which exists as a matter of grace in an R-1-A neighborhood cannot be affected, as has been attempted here without prior approval of the Board.

The purpose of Section 3101.46 is clear enough -- it is there to insure that institutions of higher learning which are located in the midst of low density residential neighborhoods cannot unilaterally change themselves to such an extent that they will in turn effect the surrounding neighborhood unless the neighborhood has an opportunity to be heard on an application by the institution for the fundamental changes which it may desire to make. Having now heard the neighborhood, as well as the College and the National Capital Planning Commission, we conclude that the requested change would have a material adverse affect upon the present character and future development of the neighborhood and would substantially impair the purpose, intent or integrity of the Zoning Regulations and Map.

In Application No. 11173, we stayed the effect of our Order pending a hearing on this Appeal so that we could consider at one time all of the issues presently affecting the zoning status of the College. In view of the College's failure to observe its representations to us (see Finding No. 7 above), its clear attempt to change its fundamental character without seeking the required prior approval of this Board, and the fact that the neighborhood involved has endured for more than a year the uncertainty generated by this situation, we are not willing to stay the effect of the present Order pending another litigation, if any.

However, the College will obviously require a certain amount of time in which to readjust its present operation and some of the government programs involved may require a reasonable amount of time to relocate. In determining what should constitute a reasonable time for readjustment and relocation, we note that the College and the government agencies involved have had several indications to date of the possibility that these programs would not be permitted to continue on the College's property, namely, the filing of the Neighbors, Inc. suit against the College in early May of 1972, the Order of the United States Court of Appeals for the District of Columbia Circuit on June 23, 1972, and the Order of this Board in No. 11173 entered July 14, 1972. We also note from the College's present catalog that its first semester ends on December 23, 1972, and that its January term begins on January 11, 1973.

The College is directed to cease on or before March 12, 1973 all activities upon its property other than the use described in this and prior Orders, namely, operation of a Junior College for not more than 550 students per year, of which up to 40 may be non-residents and the remainder of which must be full-time students residing on the College property for the full academic year. It is the Board's position that the 550 students as outlined in this Order must be counted as allowable in any one academic year as opposed to any one time. It is further directed that the College furnish the Zoning Administrator with a certified statement once every three months beginning with April 1, 1973, a list of all students attending Marjorie Webster during the preceding three months. This condition must be complied with for the next succeeding two years after which the College is directed to furnish the Zoning Administrator with the same information every April 1 for as long as said college is in operation.

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By: \_\_\_\_\_

GEORGE A. GROGAN  
Secretary of the Board

3-8-73



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On motion duly made, seconded and carried with Mr. Scrivener dissenting, the following Order of the Board was entered at the meeting of April 24, 1973.

ORDERED:

For the reasons set forth in the Board's Order of March 8, 1973, the request of Marjorie Webster Junior College to stay the effective date of the Board of Zoning Adjustment's Order in application No. 11192 is DENIED.

BY THE ORDER OF THE BOARD OF ZONING ADJUSTMENT

ATTESTED

By:



GEORGE A. GROGAN  
Secretary of the Board

April 27, 1973

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- October 18, 1973

Application No. 11192 Marjorie Webster Junior College, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried by a vote of 4-0, the following Order of the Board, entered at the meeting of January 23, 1973 is hereby AMENDED due to clerical error.

ORDERED:

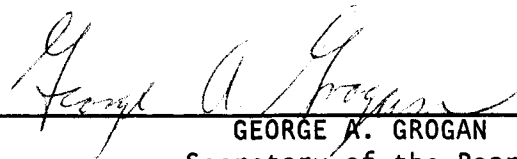
All facts and opinion of the previous Order remain the same, with the exception of the last paragraph which is to read as follows:

The College is directed to cease on or before April 14, 1973 all activities upon its property other than the use described in this and prior Orders, namely, operation of a Junior College for not more than 550 students per year, of which up to 40 may be non-residents and the remainder of which must be full-time students residing on the College property for the full academic year. It is the Board's position that the 550 students as outlined in this Order must be counted as allowable in any one academic year as opposed to any one time. It is further directed that the College furnish the Zoning Administrator with a certified statement once every three months beginning with May 1, 1973, a list of all students attending Marjorie Webster during the preceding three months. This condition must be complied with for the next succeeding two years after which the College is directed to furnish the Zoning Administrator with the same information every May 1 for as long as said college is in operation.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
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GEORGE A. GROGAN  
Secretary of the Board

March 14, 1973